

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
CINCINNATI, OHIO**

Filed 3-25-91

ORDER OF GENERAL REFERENCE

Pursuant to 28 U.S.C. § 636(a) and (b), the following cases are hereby ORDERED referred to the United States Magistrate Judges assigned to Cincinnati, Ohio, who are authorized to perform in any such case any and all functions authorized for full-time United States Magistrate Judges by Western Division Rule No. 1 as now effective or hereafter amended. In each such case the Magistrate Judge shall proceed in accordance with Rule 72, Fed. R. Civ. P. In the event the parties in any such case consent to proceed to trial and judgment before the Magistrate Judge pursuant to 28 U.S.C. § 636(c), the Magistrate Judge is hereby authorized to proceed in such cases in accordance with the applicable statutes, Rules 73 through 76, Fed. R. Civ. P., and Western Division Rule No. 1. The referred categories of cases are:

1. All cases filed pursuant to 26 U.S.C. §§ 7402(b) and 7604(a) to judicially enforce all summons issued by the Internal Revenue Service. The Federal Rules of Civil Procedure regarding intervention and discovery are suspended in such cases. See *Donaldson v. United States*, 400 U.S. 528 (1971).
2. All appeals from decisions of the Secretary of Health and Human Services regarding Social Security benefits.
3. All misdemeanor cases unless or until the person charged with the misdemeanor elects to be tried before a judge of this Court, pursuant to 18 U.S.C. § 3401(b).
4. All prisoner cases filed pursuant to 42 U.S.C. § 1983.
5. All prisoner cases filed pursuant to 28 U.S.C. § 2254.
6. All cases arising under the Miller Act.
7. All garnishment matters.
8. All discovery issues in cases assigned to the Honorable S. Arthur Spiegel.
9. All cases filed by pro se litigants. With regard to pro se cases filed pursuant to 42 U.S.C. § 2000e et seq., the District Judges are unable to schedule said cases for trial with 120 days after issue has been joined. See 42 U.S.C. § 2000e-5(f)(5).

In each of the above-described cases, this Order shall act as a reference to the Magistrate Judge and no further order of reference need be prepared or docketed by the Clerk. The Clerk shall advise the parties in each such case of identity of the Magistrate Judge assigned, and of their right to consent to final disposition by the Magistrate Judge under 28 U.S.C. § 636(c).

SO ORDERED.

Carl B. Rubin
United States District Judge

S. Arthur Spiegel
United States District Judge

Herman J. Weber
United States District Judge